

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 846**  
**99TH GENERAL ASSEMBLY**

5082H.03C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, 337.718, 341.170, 344.030, 374.715, 374.784, and 632.005, RSMo, and to enact in lieu thereof thirty-seven new sections relating to professional licensing.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, 337.718, 341.170, 344.030, 374.715, 374.784, and 632.005, RSMo, are repealed and thirty-seven new sections enacted in lieu thereof, to be known as sections 285.700, 285.705, 285.710, 285.715, 285.720, 285.725, 285.730, 285.740, 285.750, 324.013, 324.015, 324.046, 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, 337.718, 341.170, 344.030, 374.715, 374.784, and 632.005, to read as follows:

**285.700. 1. Sections 285.700 to 285.750 shall be known and may be cited as the "Professional Employer Organization Act".**

**2. The secretary of state or any person designated by the secretary of state may enforce the provisions of sections 285.700 to 285.750.**

**285.705. As used in sections 285.700 to 285.750, the following terms mean:**

**(1) "Client", any person who enters into a professional employer agreement with a PEO;**

**(2) "Coemployer", either a PEO or a client;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5           **(3) "Coemployment relationship", a relationship that is intended to be an ongoing**  
6 **relationship rather than a temporary or project-specific relationship, wherein the rights,**  
7 **duties, and obligations of an employer that arise out of an employment relationship have**  
8 **been allocated between coemployers pursuant to a professional employer agreement and**  
9 **sections 285.700 to 285.750. In such a coemployment relationship:**

10           **(a) The PEO is entitled to enforce only such employer rights and is subject to only**  
11 **those obligations specifically allocated to the PEO by the professional employer agreement**  
12 **or sections 285.700 to 285.750;**

13           **(b) The client is entitled to enforce those rights and obligated to provide and**  
14 **perform those employer obligations allocated to such client by the professional employer**  
15 **agreement and sections 285.700 to 285.750; and**

16           **(c) The client is entitled to enforce any right and obligated to perform any**  
17 **obligation of an employer not specifically allocated to the PEO by the professional**  
18 **employer agreement or sections 285.700 to 285.750;**

19           **(4) "Covered employee", an individual having a coemployment relationship with**  
20 **a PEO and a client who meets the following criteria:**

21           **(a) The individual has received written notice of coemployment with the PEO; and**

22           **(b) The individual's coemployment relationship is pursuant to a professional**  
23 **employer agreement subject to sections 285.700 to 285.750.**

24  
25 **Individuals who are officers, directors, shareholders, partners, and managers of the client**  
26 **will be covered employees, except to the extent the PEO and the client have expressly**  
27 **agreed in the professional employer agreement that such individuals would not be covered**  
28 **employees, provided such individuals meet the criteria of this subdivision and act as**  
29 **operational managers or perform day-to-day operational services for the client;**

30           **(5) "PEO group", any two or more PEOs that are majority owned or commonly**  
31 **controlled by the same entity, parent, or controlling person;**

32           **(6) "Person", any individual, partnership, corporation, limited liability company,**  
33 **association, or any other form of legally recognized entity;**

34           **(7) "Professional employer agreement", a written contract by and between a client**  
35 **and a PEO that provides:**

36           **(a) For the coemployment of covered employees;**

37           **(b) For the allocation of employer rights and obligations between the client and the**  
38 **PEO with respect to the covered employees; and**

39           **(c) That the PEO and the client assume the responsibilities required under sections**  
40 **285.700 to 285.750;**

41           **(8) "Professional employer organization" or "PEO", any person engaged in the**  
42 **business of providing professional employer services. A person engaged in the business of**  
43 **providing professional employer services shall be subject to registration and regulation**  
44 **under sections 285.700 to 285.750 regardless of its use of the term or conducting business**  
45 **as a professional employer organization, staff leasing company, registered staff leasing**  
46 **company, employee leasing company, administrative employer, or any other name. The**  
47 **following shall not be deemed to be professional employer organizations or the providing**  
48 **of professional employment services for the purposes of sections 285.700 to 285.750:**

49           **(a) Arrangements wherein a person, whose principal business activity is not**  
50 **entering into professional employer arrangements and does not hold itself out as a PEO,**  
51 **shares employees with a commonly owned company within the meaning of Section 414(b)**  
52 **and (c) of the Internal Revenue Code of 1986, as amended;**

53           **(b) Independent contractor arrangements by which a person assumes responsibility**  
54 **for the product produced or service performed by such person or his or her agents and**  
55 **retains and exercises primary direction and control over the work performed by the**  
56 **individuals whose services are supplied under such arrangements; and**

57           **(c) Providing temporary help services;**

58           **(9) "Professional employer services", the service of entering into coemployment**  
59 **relationships under sections 285.700 to 285.750 in which all or a majority of the employees**  
60 **providing services to a client or to a division or work unit of a client are covered**  
61 **employees;**

62           **(10) "Registrant", a PEO registered under sections 285.700 to 285.750;**

63           **(11) "Temporary help services", services consisting of a person:**

64           **(a) Recruiting and hiring its own employees;**

65           **(b) Finding other organizations that need the services of those employees;**

66           **(c) Assigning those employees to perform work at or services for the other**  
67 **organizations to support or supplement the other organizations' workforces, or to provide**  
68 **assistance in special work situations including, but not limited to, employee absences, skill**  
69 **shortages, seasonal workloads, or to perform special assignments or projects; and**

70           **(d) Customarily attempting to reassign the employees to other organizations when**  
71 **they finish each assignment.**

**285.710. 1. Nothing contained in sections 285.700 to 285.750 or in any professional**  
2 **employer agreement shall affect, modify, or amend any collective bargaining agreement**  
3 **or the rights or obligations of any client, PEO, or covered employee under the federal**  
4 **National Labor Relations Act, the federal Railway Labor Act, or sections 105.500 to**  
5 **105.530.**

6           **2. Nothing in sections 285.700 to 285.750 or in any professional employer agreement**  
7 **shall:**

8           **(1) Diminish, abolish, or remove rights of covered employees to a client or**  
9 **obligations of such client to a covered employee existing prior to the effective date of a**  
10 **professional employer agreement;**

11           **(2) Affect, modify, or amend any contractual relationship or restrictive covenant**  
12 **between a covered employee and any client in effect at the time a professional employer**  
13 **agreement becomes effective. A professional employer agreement shall also not prohibit**  
14 **or amend any contractual relationship or restrictive covenant that is entered into**  
15 **subsequently between a client or a covered employee. A PEO shall have no responsibility**  
16 **or liability in connection with, or arising out of, any such existing or new contractual**  
17 **relationship or restrictive covenant unless the PEO has specifically agreed otherwise in**  
18 **writing; or**

19           **(3) Create any new or additional enforceable right of a covered employee against**  
20 **a PEO that is not specifically provided by the professional employer agreement or sections**  
21 **285.700 to 285.750.**

22           **3. Nothing contained in sections 285.700 to 285.750 or any professional employer**  
23 **agreement shall affect, modify, or amend any state, local, or federal licensing, registration,**  
24 **or certification requirement applicable to any client or covered employee.**

25           **4. A covered employee who shall be licensed, registered, or certified according to**  
26 **law or regulation is deemed solely an employee of the client for purposes of any such**  
27 **license, registration, or certification requirement.**

28           **5. A PEO shall not be deemed to engage in any occupation, trade, profession, or**  
29 **other activity that is subject to licensing, registration, or certification requirements, or is**  
30 **otherwise regulated by a governmental entity solely by entering into and maintaining a**  
31 **coemployment relationship with a covered employee who is subject to such requirements**  
32 **or regulation.**

33           **6. A client shall have the sole right of direction and control of the professional or**  
34 **licensed activities of covered employees and of the client's business. Such covered**  
35 **employees and clients shall remain subject to regulation by the regulatory or governmental**  
36 **entity responsible for licensing, registration, or certification of such covered employees or**  
37 **clients.**

38           **7. For purposes of the determination of tax credits, economic incentives, or other**  
39 **benefits provided by this state or any other government entity and based on employment,**  
40 **covered employees shall be deemed employees solely of the client. A client shall be entitled**  
41 **to the benefit of any tax credit, economic incentive, or other benefit arising as the result of**

42 the employment of covered employees of such client. Notwithstanding that the PEO is the  
43 W-2 reporting employer, the client shall continue to qualify for such benefit, incentive, or  
44 credit. If the grant or amount of any such benefit, incentive, or credit is based on the  
45 number of employees, then each client shall be treated as employing only those covered  
46 employees coemployed by the client. Covered employees working for other clients of the  
47 PEO shall not be counted. Each PEO shall provide, upon request by a client or an agency  
48 or department of this state, employment information reasonably required by any agency  
49 or department of this state responsible for administration of any such tax credit, economic  
50 incentive, or other benefit that is necessary to support any request, claim, application, or  
51 other action by a client seeking any such tax credit, economic incentive, or other benefit.

52 **8. With respect to a bid, contract, purchase order, or agreement entered into with**  
53 **the state or a political subdivision of the state, a client company's status or certification as**  
54 **a minority business enterprise or a women's business enterprise, as those terms are defined**  
55 **in section 37.020, shall not be affected because the client company has entered into an**  
56 **agreement with a PEO or uses the services of a PEO.**

**285.715. 1. Except as otherwise provided in sections 285.700 to 285.750, no person**  
2 **shall provide, advertise, or otherwise hold itself out as providing professional employer**  
3 **services in this state, unless such person is registered under sections 285.700 to 285.750.**

4 **2. Each applicant for registration under sections 285.700 to 285.750 shall provide**  
5 **the secretary of state with the following information:**

6 **(1) The name or names under which the PEO conducts business;**

7 **(2) The address of the principal place of business of the PEO and the address of**  
8 **each office it maintains in this state;**

9 **(3) The PEO's taxpayer or employer identification number;**

10 **(4) A list by jurisdiction of each name under which the PEO has operated in the**  
11 **preceding five years, including any alternative names, names of predecessors, and, if**  
12 **known, successor business entities;**

13 **(5) A statement of ownership, which shall include the name and evidence of the**  
14 **business experience of any person that, individually or acting in concert with one or more**  
15 **other persons, owns or controls, directly or indirectly, twenty-five percent or more of the**  
16 **equity interests of the PEO;**

17 **(6) A statement of management, which shall include the name and evidence of the**  
18 **business experience of any person who serves as president, chief executive officer, or**  
19 **otherwise has the authority to act as senior executive officer of the PEO; and**

20 **(7) A financial statement setting forth the financial condition of the PEO or PEO**  
21 **group. At the time of application for a new license, the applicant shall submit the most**

22 recent audit of the applicant, which shall not be older than thirteen months. Thereafter,  
23 a PEO or PEO group shall file on an annual basis, within one hundred eighty days after  
24 the end of the PEO's or PEO group's fiscal year, a succeeding audit. An applicant may  
25 apply for an extension with the secretary of state, but any such request shall be  
26 accompanied by a letter from the auditors stating the reasons for the delay and the  
27 anticipated audit completion date. The financial statement shall be prepared in accordance  
28 with generally accepted accounting principles and audited by an independent certified  
29 public accountant licensed to practice in the jurisdiction in which such accountant is  
30 located and shall be without qualification as to the going concern status of the PEO. A  
31 PEO or PEO group may submit combined or consolidated audited financial statements to  
32 meet the requirements of this section. A PEO that has not had sufficient operating history  
33 to have audited financials based upon at least twelve months of operating history shall meet  
34 the financial capacity requirements of sections 285.700 to 285.750 and present financial  
35 statements reviewed by a certified public accountant.

36 3. (1) Each PEO operating within this state as of the effective date of sections  
37 285.700 to 285.750 shall complete its initial registration not later than one hundred eighty  
38 days after the effective date of sections 285.700 to 285.750. Such initial registration shall  
39 be valid until one hundred eighty days from the end of the PEO's first fiscal year that is  
40 more than one year after the effective date of sections 285.700 to 285.750.

41 (2) Each PEO not operating within this state as of the effective date of sections  
42 285.700 to 285.750 shall complete its initial registration prior to initiating operations within  
43 this state. In the event a PEO not registered in this state becomes aware that an existing  
44 client not based in this state has employees and operations in this state, the PEO shall  
45 either decline to provide PEO services for those employees or notify the secretary of state  
46 within five business days of its knowledge of this fact and file a limited registration  
47 application under subsection 6 of this section or a full business registration if there are  
48 more than fifty covered employees. The secretary of state may issue an interim operating  
49 permit for the period the registration applications are pending if the PEO is currently  
50 registered or licensed by another state and the secretary of state determines it to be in the  
51 best interest of the potential covered employees.

52 4. Within one hundred eighty days after the end of a registration's fiscal year, such  
53 registrant shall renew its registration by notifying the secretary of state of any changes in  
54 the information provided in such registration's most recent registration or renewal. A  
55 registrant's existing registration shall remain in effect during the pendency of a renewal  
56 application.

57           **5. PEOs in a PEO group may satisfy the reporting and financial requirements of**  
58 **sections 285.700 to 285.750 on a combined or consolidated basis, provided that each**  
59 **member of the PEO group guarantees the financial capacity obligations under sections**  
60 **285.700 to 285.750 of each other member of the PEO group. In the case of a PEO or PEO**  
61 **group that submits a combined or consolidated audited financial statement including**  
62 **entities that are not PEOs or that are not in the PEO group, the controlling entity of the**  
63 **PEO group under the consolidated or combined statement shall guarantee the obligations**  
64 **of the PEOs in the PEO group.**

65           **6. (1) A PEO is eligible for a limited registration under sections 285.700 to 285.750**  
66 **if such PEO:**

67           **(a) Submits a properly executed request for limited registration on a form provided**  
68 **by the secretary of state;**

69           **(b) Is domiciled outside this state and is licensed or registered as a professional**  
70 **employer organization in another state;**

71           **(c) Does not maintain an office in this state or directly solicit clients located or**  
72 **domiciled within this state; and**

73           **(d) Does not have more than fifty covered employees employed or domiciled in this**  
74 **state on any given day.**

75           **(2) A limited registration is valid for one year, and may be renewed.**

76           **(3) A PEO seeking limited registration under this section shall provide the secretary**  
77 **of state with information and documentation necessary to show that the PEO qualifies for**  
78 **a limited registration.**

79           **(4) The provisions of section 285.725 shall not apply to applicants for limited**  
80 **registration.**

81           **7. The secretary of state shall maintain a list of professional employer organizations**  
82 **registered under sections 285.700 to 285.750 that is readily available to the public by**  
83 **electronic or other means.**

84           **8. The secretary of state may produce forms necessary to promote the efficient**  
85 **administration of this section.**

86           **9. The secretary of state shall, to the extent practical, permit the acceptance of**  
87 **electronic filings in conformance with sections 432.200 to 432.295, including applications,**  
88 **documents, reports, and other filings required by sections 285.700 to 285.750. The**  
89 **secretary of state may provide for the acceptance of electronic filings and other assurance**  
90 **by an independent and qualified assurance organization approved by the secretary of state**  
91 **that provides satisfactory assurance of compliance acceptable to the secretary of state**  
92 **consistent with or in lieu of the requirements of sections 285.715 and 285.725 and other**

93 requirements of sections 285.700 to 285.750. The secretary of state shall permit a PEO to  
94 authorize such an approved assurance organization to act on the PEO's behalf in  
95 complying with the registration requirements of sections 285.700 to 285.750, including  
96 electronic filings of information and payment of registration fees. Use of such an approved  
97 assurance organization shall be optional and not mandatory for a registrant. Nothing in  
98 this subsection shall limit or change the secretary of state's authority to register or  
99 terminate registration of a professional employer organization or to investigate or enforce  
100 any provision of sections 285.700 to 285.750.

101       **10. All records, reports, and other information obtained from a PEO under sections**  
102 **285.700 to 285.750, except to the extent necessary for the proper administration of sections**  
103 **285.700 to 285.750 by the secretary of state, shall be confidential and shall not be**  
104 **considered a "public record" as that term is defined in section 610.010.**

**285.720. 1. Upon filing an initial registration statement under sections 285.700 to**  
2 **285.750, a PEO shall pay an initial registration fee not to exceed five hundred dollars.**

3       **2. Upon each annual renewal of a registration statement filed under sections**  
4 **285.700 to 285.750, a PEO shall pay a renewal fee not to exceed two hundred fifty dollars.**

5       **3. The secretary of state shall determine any fee to be charged for a group**  
6 **registration.**

7       **4. Each PEO seeking limited registration shall pay a fee in the amount not to exceed**  
8 **two hundred fifty dollars upon initial application for limited registration and upon each**  
9 **renewal of such limited registration.**

10       **5. No fee charged under sections 285.700 to 285.750 shall exceed the amount**  
11 **reasonably necessary for the administration of sections 285.700 to 285.750.**

**285.725. Except as provided by 285.715, each PEO or collectively each PEO group**  
2 **shall maintain either:**

3       **(1) Positive working capital as defined by generally accepted accounting principles**  
4 **at registration as reflected in the financial statements submitted to the secretary of state**  
5 **with the initial registration and each annual renewal; or**

6       **(2) A PEO or PEO group that does not have positive working capital may provide**  
7 **a bond, irrevocable letter of credit, or securities with a minimum market value equaling**  
8 **the deficiency plus one hundred thousand dollars to the secretary of state. Such bond is**  
9 **to be held by a depository designated by the secretary of state securing payment by the**  
10 **PEO of all taxes, wages, benefits, or other entitlement due to or with respect to covered**  
11 **employees if the PEO does not make such payments when due.**

**285.730. 1. Except as specifically provided in sections 285.700 to 285.750 or in the**  
2 **professional employer agreement, in each coemployment relationship:**

3           **(1) The client shall be entitled to exercise all rights, and shall be obligated to**  
4 **perform all duties and responsibilities otherwise applicable to an employer in an**  
5 **employment relationship;**

6           **(2) The PEO shall be entitled to exercise only those rights and obligated to perform**  
7 **only those duties and responsibilities specifically required under sections 285.700 to**  
8 **285.750 or set forth in the professional employer agreement. The rights, duties, and**  
9 **obligations of the PEO as coemployer with respect to any covered employee shall be limited**  
10 **to those arising pursuant to the professional employer agreement and sections 285.700 to**  
11 **285.750 during the term of coemployment by the PEO of such covered employee; and**

12           **(3) Unless otherwise expressly agreed by the PEO and the client in a professional**  
13 **employer agreement, the client retains the exclusive right to direct and control the covered**  
14 **employees as is necessary to conduct the client's business, to discharge any of the client's**  
15 **fiduciary responsibilities, or to comply with any licensure requirements applicable to the**  
16 **client or to the covered employees.**

17           **2. Except as specifically provided under sections 285.700 to 285.750, the**  
18 **coemployment relationship between the client and the PEO and between each coemployer**  
19 **and each covered employee shall be governed by the professional employer agreement.**  
20 **Each professional employer agreement shall include the following:**

21           **(1) The allocation of rights, duties, and obligations as described in subsection 1 of**  
22 **this section;**

23           **(2) A requirement that the PEO shall have responsibility to:**

24           **(a) Pay wages to covered employees;**

25           **(b) Withhold, collect, report, and remit payroll-related and unemployment taxes;**

26 **and**

27           **(c) To the extent the PEO has assumed responsibility in the professional employer**  
28 **agreement, to make payments for employee benefits for covered employees.**

29

30 **As used in this section, the term "wages" does not include any obligation between a client**  
31 **and a covered employee for payments beyond or in addition to the covered employee's**  
32 **salary, draw, or regular rate of pay, such as bonuses, commissions, severance pay, deferred**  
33 **compensation, profit sharing, vacation, sick, or other paid-time off pay, unless the PEO has**  
34 **expressly agreed to assume liability for such payments in the professional employer**  
35 **agreement; and**

36           **(3) A requirement that the PEO shall have a right to hire, discipline, and terminate**  
37 **a covered employee as may be necessary to fulfill the PEO's responsibilities under sections**

38 **285.700 to 285.750 and the professional employer agreement. The client shall have a right**  
39 **to hire, discipline, and terminate a covered employee.**

40 **3. With respect to each professional employer agreement entered into by a PEO,**  
41 **such PEO shall provide written notice to each covered employee affected by such**  
42 **agreement of the general nature of the coemployment relationship between and among the**  
43 **PEO, the client, and such covered employee.**

44 **4. Except to the extent otherwise expressly provided by the applicable professional**  
45 **employer agreement:**

46 **(1) A client shall be solely responsible for the quality, adequacy, or safety of the**  
47 **goods or services produced or sold in the client's business;**

48 **(2) A client shall be solely responsible for directing, supervising, training, and**  
49 **controlling the work of the covered employees with respect to the business activities of the**  
50 **client and solely responsible for the acts, errors, or omissions of the covered employees with**  
51 **regard to such activities;**

52 **(3) A client shall not be liable for the acts, errors, or omissions of a PEO or of any**  
53 **covered employee of the client and a PEO if such covered employee is acting under the**  
54 **express direction and control of the PEO;**

55 **(4) A PEO shall not be liable for the acts, errors, or omissions of a client or of any**  
56 **covered employee of the client if such covered employee is acting under the express**  
57 **direction and control of the client;**

58 **(5) Nothing in this subsection shall serve to limit any contractual liability or**  
59 **obligation specifically provided in the written professional employer agreement; and**

60 **(6) A covered employee is not, solely as the result of being a covered employee of**  
61 **a PEO, an employee of the PEO for purposes of general liability insurance, fidelity bonds,**  
62 **surety bonds, employer's liability that is not covered by workers' compensation, or liquor**  
63 **liability insurance carried by the PEO unless the covered employees are included by**  
64 **specific reference in the professional employer agreement and applicable prearranged**  
65 **employment contract, insurance contract, or bond.**

66 **5. A PEO under sections 285.700 to 285.750 is not engaged in the sale of insurance**  
67 **or in acting as a third party administrator by offering, marketing, selling, administering,**  
68 **or providing professional employer services that include services and employee benefit**  
69 **plans for covered employees. The provisions of this section shall not supersede or preempt**  
70 **any requirements under section 375.014.**

71 **6. For purposes of this state or any county, municipality, or other political**  
72 **subdivision thereof:**

73           **(1) Any tax or assessment imposed upon professional employer services or any**  
74 **business license or other fee that is based upon "gross receipts" shall allow a deduction**  
75 **from the gross income or receipts of the business derived from performing professional**  
76 **employer services that is equal to that portion of the fee charged to a client that represents**  
77 **the actual cost of wages and salaries, benefits, payroll taxes, withholding, or other**  
78 **assessments paid to or on behalf of a covered employee by the professional employer**  
79 **organization under a professional employer agreement;**

80           **(2) Any tax assessed or assessment or mandated expenditure on a per capita or per**  
81 **employee basis shall be assessed against the client for covered employees and against the**  
82 **professional employer organization for its employees who are not covered employees**  
83 **coemployed with a client. Benefits or monetary consideration that meet the requirements**  
84 **of mandates imposed on a client and that are received by covered employees through the**  
85 **PEO either through payroll or through benefit plans sponsored by the PEO shall be**  
86 **credited against the client's obligation to fulfill such mandates; and**

87           **(3) In the case of a tax or an assessment imposed or calculated upon the basis of**  
88 **total payroll, the professional employer organization shall be eligible to apply any small**  
89 **business allowance or exemption available to the client for the covered employees for**  
90 **purposes of computing the tax.**

**285.740. 1. The responsibility to obtain workers' compensation coverage for**  
2 **covered employees in compliance with all applicable laws shall be specifically allocated in**  
3 **the professional employer agreement to either the client or the PEO.**

4           **2. (1) Coverage for both the directly employed workers of a client and the covered**  
5 **employees of that client shall be all in the residual or all in the voluntary market with the**  
6 **same carrier.**

7           **(2) Workers' compensation coverage for covered employees in the voluntary**  
8 **market may be obtained by either:**

9           **(a) The client through a standard workers' compensation policy or through duly**  
10 **authorized self-insurance under section 287.280; or**

11           **(b) The PEO through duly authorized self insurance under section 287.280,**  
12 **through the type of policy referenced under the provisions of 20 CSR 500-6.800(5)(c)2**  
13 **issued to the PEO by a carrier authorized to do business in this state, or through a multiple**  
14 **coordinated workers' compensation policy issued by a carrier authorized to do business**  
15 **in this state in the name of the PEO or the client.**

16

17 A PEO authorized to self-insure under section 287.280 shall report to the insurer or the  
18 appropriate state and rating authorities such client-based information as is necessary to  
19 maintain the client's experience rating.

20 (3) Workers' compensation for covered employees in the residual market may be  
21 obtained by the client through a residual market policy or by the PEO through a multiple  
22 coordinated policy in either the name of the PEO or the client that provides to the  
23 appropriate state and rating authorities the client-based information satisfactory to  
24 maintain the client's experience rating.

25 3. A PEO that applies for coverage or is covered through the voluntary market  
26 shall also maintain and furnish to the insurer sufficient information to permit the  
27 calculation of an experience modification factor for each client upon termination of the  
28 coemployment relationship. Information reported during the term of the coemployment  
29 relationship which is used to calculate an experience modification factor for a client prior  
30 to and upon termination of the professional employer agreement shall continue to be used  
31 in the future experience ratings of the PEO. Such information shall include:

32 (1) The client's corporate name;

33 (2) The client's taxpayer or employer identification number;

34 (3) Payroll summaries and class codes applicable to each client, and, if requested  
35 by the insurer, a listing of all covered employees associated with a given client; and

36 (4) Claims information grouped by client, and any other information maintained  
37 by or readily available to the PEO that is necessary for the calculation of an experience  
38 modification factor for each client.

39 4. In addition to any other provision of chapter 287, any material violations of this  
40 section by a PEO is grounds for cancellation or nonrenewal of the PEO's insurance policy  
41 by the insurer. If a PEO has received notice that its workers' compensation insurance  
42 policy will be canceled or nonrenewed, the PEO shall notify by certified mail, within ten  
43 days after the receipt of the notice, all of the clients for which there is a coemployment  
44 relationship covered under the policy to be canceled, provided that notice shall not be  
45 required if the PEO has obtained another insurance policy from a carrier authorized to do  
46 business in this state, with an effective date that is the same as the date of cancellation or  
47 nonrenewal.

48 5. If the coemployment relationship with a client is terminated, the client shall  
49 utilize an experience modification factor which reflects its individual experience, including,  
50 if applicable, experience incurred for covered employees under the professional employer  
51 agreement. The PEO shall provide to the client the client's information that is maintained  
52 under subsection 3 of this section within five business days of receiving notice from the

53 client or within five business days of providing notice to the client that the coemployment  
54 relationship will terminate. The PEO shall also provide such information to any future  
55 client insurer, if requested by such client. The PEO shall notify the insurer of its intent to  
56 terminate any client relationship prior to termination when feasible. When prior notice  
57 is not feasible, the PEO shall notify its insurer within five business days following actual  
58 termination.

59 6. Both the client and the PEO shall be considered the employer for purposes of  
60 coverage under chapter 287. The protection of the exclusive remedy provision under  
61 section 287.120 shall apply to the PEO, the client, and to all covered employees and other  
62 employees of the client irrespective of which coemployer obtains such workers'  
63 compensation coverage. Nothing in this section shall be construed to exempt either the  
64 client or the PEO from compliance with the provisions of chapter 287.

65 7. A client may request the information maintained under subsection 3 of this  
66 section at any time and every PEO shall provide that information to such client within five  
67 business days of receiving such a request.

68 8. In the case of a request for information by a third party requesting verification  
69 of a client's experience modification factor for a client in the type of policy referenced  
70 under the provisions of 20 CSR 500-6.800(5)(c)2, the PEO shall, within five business days  
71 of receipt of receiving the client's consent, provide such third party with only the  
72 information maintained by the PEO under subsection 3 of this section. If a client refuses  
73 to grant consent to a request for information under this subsection, the PEO shall notify  
74 the requesting third party that the client has refused to consent to the disclosure of the  
75 information maintained by the PEO under subsection 3 of this section.

76 9. A client shall provide any prospective insurer with the information maintained  
77 by the PEO under subsection 3 of this section upon receiving such information from the  
78 PEO. Failure to provide a future insurer with such information shall be considered a  
79 violation of subsection 6 of section 287.128.

80 10. (1) A client shall notify any prospective insurer of the client's previous or  
81 current relationship with a PEO. Failure to provide a future insurer with such  
82 information shall be considered a violation of subsection 6 of section 287.128.

83 (2) This subsection shall not apply if the PEO did not provide workers'  
84 compensation coverage to a client during the coemployment relationship.

85 11. For purposes of chapter 288, a PEO registered under sections 285.700 to  
86 285.750 shall be treated as a "lesser employing unit" under section 288.032.

285.750. 1. A person shall not knowingly:

2           **(1) Offer or provide professional employer services or use the names PEO,**  
3 **professional employer organization, staff leasing, employee leasing, administrative**  
4 **employer, or other title representing professional employer services without first becoming**  
5 **registered under sections 285.700 to 285.750; or**

6           **(2) Provide false or fraudulent information to the secretary of state in conjunction**  
7 **with any registration, renewal, or in any report required under sections 285.700 to 285.750.**

8           **2. Disciplinary action shall be taken by the secretary of state for violation of this**  
9 **section for:**

10           **(1) The conviction of a professional employer organization or a controlling person**  
11 **of a PEO of a crime that relates to the operation of a PEO or the ability of the licensee or**  
12 **a controlling person of a licensee to operate a PEO;**

13           **(2) Knowingly making a material misrepresentation to the secretary of state or**  
14 **other governmental agency; or**

15           **(3) A willful violation of sections 285.700 to 285.750 or any order issued by the**  
16 **secretary of state under sections 285.700 to 285.750.**

17           **3. Upon finding, after notice and opportunity for hearing, that a PEO, a controlling**  
18 **person of a PEO, or a person offering PEO services has violated one or more provisions**  
19 **of this section and subject to appeal, the secretary of state may:**

20           **(1) Deny an application for a license;**

21           **(2) Revoke, restrict, or refuse to renew a license;**

22           **(3) Impose an administrative penalty in an amount not to exceed one thousand**  
23 **dollars for each material violation;**

24           **(4) Place the licensee on probation for the period and subject to conditions that the**  
25 **secretary of state specifies; or**

26           **(5) Issue a cease and desist order.**

**324.013. 1. For purposes of this section, the following terms mean:**

2           **(1) "License", a license, certificate, registration, permit, or accreditation that**  
3 **enables a person to legally practice an occupation, profession, or activity in the state;**

4           **(2) "Oversight body", any board, department, agency, or office of the state that**  
5 **issues licenses. The term "oversight body" shall not include any political subdivision.**

6           **2. An oversight body shall not deny any person eighteen years of age or older a**  
7 **license on the basis of age unless the license enables a person to operate a school bus owned**  
8 **by or under contract with a public school or the state board of education, transport**  
9 **hazardous material, use explosives, or engage in any activity associated with gaming.**

**324.015. 1. For purposes of this section, the following terms mean:**

2           (1) "Licensing authority", any agency, examining board, credentialing board, or  
3 other office with the authority to impose occupational fees or licensing requirements on any  
4 occupation or profession;

5           (2) "Licensing requirement", any required training, education, or fee to work in  
6 a specific occupation or profession;

7           (3) "Low-income individual", any individual:

8           (a) Whose household adjusted gross income is below one hundred thirty percent  
9 of the federal poverty line or a higher threshold to be set by the department of insurance,  
10 financial institutions and professional registration by rule; or

11           (b) Who is enrolled in a state or federal public assistance program including, but  
12 not limited to, Temporary Assistance for Needy Families, the MO HealthNet program, or  
13 the Supplemental Nutrition Assistance Program;

14           (4) "Military families", any active duty service members and their spouses and  
15 honorably discharged veterans and their spouses. The term "military families" includes  
16 surviving spouses of deceased service members who have not remarried;

17           (5) "Occupational fee", a fee or tax on professionals or businesses that is charged  
18 for the privilege of providing goods or services within a certain jurisdiction. The term  
19 "occupational fee" shall include any fee to obtain a license or renew a license;

20           (6) "Political subdivision", any city, town, village, or county.

21           2. All state and political subdivision licensing authorities shall waive all  
22 occupational fees for military families and low-income individuals for a period of two years  
23 beginning on the date an application is approved under subsection 3 of this section.  
24 Military families and low-income individuals whose applications are approved shall not  
25 be required to pay any occupational fees that become due during the two-year period.

26           3. Military families and low-income individuals seeking a waiver described under  
27 subsection 2 of this section shall apply to the appropriate licensing authority in a format  
28 prescribed by the licensing authority. The licensing authority shall approve or deny the  
29 application within thirty days of receipt.

30           4. An individual shall be eligible to receive only one waiver under this section from  
31 each licensing authority.

32           5. State licensing authorities and the department of insurance, financial institutions  
33 and professional registration shall promulgate rules to implement the provisions of this  
34 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
35 created under the authority delegated in this section shall become effective only if it  
36 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
37 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers

38 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
39 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
40 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018,  
41 shall be invalid and void.

324.046. 1. For the purposes of this section, the term "health care professional"  
2 shall mean a physician, other health care practitioner, or mental health professional  
3 licensed, accredited, or certified by the state of Missouri to perform specified health  
4 services.

5 2. Any health care professional in the state of Missouri may annually complete up  
6 to two hours of suicide assessment, referral, treatment, and management training which  
7 shall qualify as part of the continuing education requirements for his or her licensure.

324.920. 1. The applicant for a statewide electrical contractor's license shall satisfy the  
2 following requirements:

3 (1) ~~[Be at least twenty-one years of age;~~

4 ~~——(2)]~~ Provide proof of liability insurance in the amount of five hundred thousand dollars,  
5 and post a bond with each political subdivision in which he or she will perform work, as required  
6 by that political subdivision;

7 ~~[(3)]~~ (2) Pass a standardized and nationally accredited electrical assessment examination  
8 that has been created and administered by a third party and that meets current national industry  
9 standards, as determined by the division;

10 ~~[(4)]~~ (3) Pay for the costs of such examination; and

11 ~~[(5)]~~ (4) Have completed one of the following:

12 (a) Twelve thousand verifiable practical hours installing equipment and associated  
13 wiring;

14 (b) Ten thousand verifiable practical hours installing equipment and associated wiring  
15 and have received an electrical journeyman certificate from a United States Department of  
16 Labor-approved electrical apprenticeship program;

17 (c) Eight thousand verifiable practical hours installing equipment and associated wiring  
18 and have received an associate's degree from a state-accredited program; or

19 (d) Four thousand verifiable practical hours supervising the installation of equipment and  
20 associated wiring and have received a four-year electrical engineering degree.

21 2. Electrical contractors who hold an electrical contractor license in good standing that  
22 was issued by any authority in this state that required prior to January 1, 2018, the passing of a  
23 standardized and nationally accredited written electrical assessment examination that is based  
24 upon the National Electrical Code and who have completed twelve thousand hours of verifiable  
25 practical experience shall be issued a statewide license. The provisions of this subsection shall

26 apply only to electrical contractor licenses issued by a political subdivision with the legal  
27 authority to issue such licenses.

28         3. Each corporation, firm, institution, organization, company, or representative thereof  
29 engaging in electrical contracting shall have in its employ, at a supervisory level, at least one  
30 electrical contractor who possesses a statewide license in accordance with sections 324.900 to  
31 324.945. A statewide licensed electrical contractor shall represent only one firm, company,  
32 corporation, institution, or organization at one time.

33         4. Any person operating as an electrical contractor in a political subdivision that does  
34 not require the contractor to hold a local license shall not be required to possess a statewide  
35 license under sections 324.900 to 324.945 to continue to operate as an electrical contractor in  
36 such political subdivision.

37         5. The division may negotiate reciprocal agreements with other states, the District of  
38 Columbia, or territories of the United States which require standards for licensure, registration,  
39 or certification considered to be equivalent or more stringent than the requirements for licensure  
40 under sections 324.900 to 324.945.

324.1108. 1. Every person desiring to be licensed in this state as a private investigator,  
2 private investigator agency, private fire investigator, or private fire investigator agency shall  
3 make application therefor to the board. An application for a license under the provisions of  
4 sections 324.1100 to 324.1148 shall be on a form prescribed by the board and accompanied by  
5 the required application fee. An application shall be verified and shall include:

- 6         (1) The full name and business address of the applicant;
- 7         (2) The name under which the applicant intends to conduct business;
- 8         (3) A statement as to the general nature of the business in which the applicant intends  
9 to engage;
- 10        (4) A statement as to the classification or classifications under which the applicant  
11 desires to be qualified;
- 12        (5) Two recent photographs of the applicant, of a type prescribed by the board, and two  
13 classifiable sets of the applicant's fingerprints processed in a manner approved by the Missouri  
14 state highway patrol, central repository, under section 43.543;
- 15        (6) A verified statement of the applicant's experience qualifications; and
- 16        (7) Such other information, evidence, statements, or documents as may be required by  
17 the board.

18         2. Before an application for a license may be granted, the applicant shall:

- 19         (1) ~~Be at least twenty-one years of age;~~
- 20         ~~————~~(2) Be a citizen of the United States;

21           ~~[(3)]~~ (2) Provide proof of liability insurance with amount to be no less than two hundred  
22 fifty thousand dollars in coverage and proof of workers' compensation insurance if required  
23 under chapter 287. The board shall have the authority to raise the requirements as deemed  
24 necessary; and

25           ~~[(4)]~~ (3) Comply with such other qualifications as the board adopts by rules and  
26 regulations.

327.221. Any person may apply to the board for licensure as a professional engineer  
2 ~~[who is over the age of twenty-one,]~~ who is of good moral character, and who is a graduate of  
3 and holds a degree in engineering from an accredited school of engineering, or who possesses  
4 an education which includes at the minimum a baccalaureate degree in engineering, and which  
5 in the opinion of the board, equals or exceeds the education received by a graduate of an  
6 accredited school, and has acquired at least four years of satisfactory engineering experience,  
7 after such person has graduated and has received a degree or education as provided in this  
8 section; provided that the board shall by rule provide what shall constitute satisfactory  
9 engineering experience based upon recognized education and training equivalents, but in any  
10 event such rule shall provide that no more than one year of satisfactory postgraduate work in  
11 engineering subjects and that each year of satisfactory teaching of engineering subjects  
12 accomplished after a person has graduated from and has received a degree from an accredited  
13 school of engineering or after receiving an education as provided in this section shall count as  
14 equivalent years of satisfactory engineering experience.

327.312. 1. Any person may apply to the board for enrollment as a land surveyor-in-  
2 training ~~[who is over the age of twenty-one,]~~ who is of good moral character, who is a high  
3 school graduate, or who holds a Missouri certificate of high school equivalence (GED), and  
4 either:

5           (1) Has graduated and received a baccalaureate degree in an approved curriculum as  
6 defined by board regulation which shall include at least twelve semester hours of approved  
7 surveying course work as defined by board regulation of which at least two semester hours shall  
8 be in the legal aspects of boundary surveying; or

9           (2) Has passed at least sixty hours of college credit which shall include credit for at least  
10 twenty semester hours of approved surveying course work as defined by board regulation of  
11 which at least two semester hours shall be in legal aspects of boundary surveying and present  
12 evidence satisfactory to the board that in addition thereto such person has at least one year of  
13 combined professional office and field experience in land surveying projects under the  
14 immediate personal supervision of a professional land surveyor; or

15           (3) Has passed at least twelve semester hours of approved surveying course work as  
16 defined by board regulation of which at least two semester hours shall be in legal aspects of land

17 surveying and in addition thereto has at least two years of combined professional office and field  
18 experience in land surveying projects under the immediate personal supervision of a professional  
19 land surveyor. Pursuant to this provision, not more than one year of satisfactory postsecondary  
20 education work shall count as equivalent years of satisfactory land surveying work as  
21 aforementioned.

22 2. The board shall issue a certificate of completion to each applicant who satisfies the  
23 requirements of the aforementioned land surveyor-in-training program and passes such  
24 examination or examinations as shall be required by the board.

330.030. Any person desiring to practice podiatric medicine in this state shall furnish the  
2 board with satisfactory proof, including a statement under oath or affirmation that all  
3 representations are true and correct to the best knowledge and belief of the person submitting and  
4 signing same, subject to the penalties of making a false affidavit or declaration, that he or she is  
5 ~~[twenty-one years of age or over, and]~~ of good moral character, and that he or she has received  
6 at least four years of high school training, or the equivalent thereof, and has received a diploma  
7 or certificate of graduation from an approved college of podiatric medicine, recognized and  
8 approved by the board, having a minimum requirement of two years in an accredited college and  
9 four years in a recognized college of podiatric medicine. Upon payment of the examination fee,  
10 and making satisfactory proof as aforesaid, the applicant shall be examined by the board, or a  
11 committee thereof, under such rules and regulations as said board may determine, and if found  
12 qualified, shall be licensed, upon payment of the license fee, to practice podiatric medicine as  
13 licensed; provided, that the board shall, under regulations established by the board, admit without  
14 examination legally qualified practitioners of podiatric medicine who hold licenses to practice  
15 podiatric medicine in any state or territory of the United States or the District of Columbia or any  
16 foreign country with equal educational requirements to the state of Missouri upon the applicant  
17 paying a fee equivalent to the license and examination fees required above.

331.030. 1. No person shall engage in the practice of chiropractic without having first  
2 secured a chiropractic license as provided in this chapter.

3 2. Any person desiring to procure a license authorizing the person to practice chiropractic  
4 in this state shall ~~[be at least twenty-one years of age and shall]~~ make application on the form  
5 prescribed by the board. The application shall contain a statement that it is made under oath or  
6 affirmation and that representations contained thereon are true and correct to the best knowledge  
7 and belief of the person signing the application, subject to the penalties of making a false  
8 affidavit or declaration, and shall give the applicant's name, address, age, sex, name of  
9 chiropractic schools or colleges which the person attended or of which the person is a graduate,  
10 and such other reasonable information as the board may require. The applicant shall give  
11 evidence satisfactory to the board of the successful completion of the educational requirements

12 of this chapter, that the applicant is of good moral character, and that the chiropractic school or  
13 college of which the applicant is a graduate is teaching chiropractic in accordance with the  
14 requirements of this chapter. The board may make a final determination as to whether or not the  
15 school from which the applicant graduated is so teaching.

16 3. Before an applicant shall be eligible for licensure, the applicant shall furnish evidence  
17 satisfactory to the board that the applicant has received the minimum number of semester credit  
18 hours, as required by the Council on Chiropractic Education, or its successor, prior to beginning  
19 the doctoral course of study in chiropractic. The minimum number of semester credit hours  
20 applicable at the time of enrollment in a doctoral course of study must be in those subjects, hours  
21 and course content as may be provided for by the Council on Chiropractic Education or, in the  
22 absence of the Council on Chiropractic Education or its provision for such subjects, such hours  
23 and course content as adopted by rule of the board; however in no event shall fewer than ninety  
24 semester credit hours be accepted as the minimum number of hours required prior to beginning  
25 the doctoral course of study in chiropractic. The examination applicant shall also provide  
26 evidence satisfactory to the board of having graduated from a chiropractic college having status  
27 with the Commission on Accreditation of the Council on Chiropractic Education or its successor.  
28 Any senior student in a chiropractic college having status with the Commission on Accreditation  
29 on the Council on Chiropractic Education or its successor may take a practical examination  
30 administered or approved by the board under such requirements and conditions as are adopted  
31 by the board by rule, but no license shall be issued until all of the requirements for licensure have  
32 been met.

33 4. Each applicant shall pay upon application an application or examination fee. All  
34 moneys collected pursuant to the provisions of this chapter shall be nonrefundable and shall be  
35 collected by the director of the division of professional registration who shall transmit it to the  
36 department of revenue for deposit in the state treasury to the credit of the chiropractic board fund.  
37 Any person failing to pass a practical examination administered or approved by the board may  
38 be reexamined upon fulfilling such requirements, including the payment of a reexamination fee,  
39 as the board may by rule prescribe.

40 5. Every applicant for licensure by examination shall have taken and successfully passed  
41 all required and optional parts of the written examination given by the National Board of  
42 Chiropractic Examiners, including the written clinical competency examination, under such  
43 conditions as established by rule of the board, and all applicants for licensure by examination  
44 shall successfully pass a practical examination administered or approved by the board and a  
45 written examination testing the applicant's knowledge and understanding of the laws and  
46 regulations regarding the practice of chiropractic in this state. The board shall issue to each  
47 applicant who meets the standards and successful completion of the examinations, as established

48 by rule of the board, a license to practice chiropractic. The board shall not recognize any  
49 correspondence work in any chiropractic school or college as credit for meeting the requirements  
50 of this chapter.

51 6. The board shall issue a license without examination to persons who have been  
52 regularly licensed to practice chiropractic in any other state, territory, or the District of Columbia,  
53 or in any foreign country, provided that the regulations for securing a license in the other  
54 jurisdiction are equivalent to those required for licensure in the state of Missouri, when the  
55 applicant furnishes satisfactory evidence that the applicant has continuously practiced  
56 chiropractic for at least one year immediately preceding the applicant's application to the board  
57 and that the applicant is of good moral character, and upon the payment of the reciprocity license  
58 fee as established by rule of the board. The board may require an applicant to successfully  
59 complete the Special Purposes Examination for Chiropractic (SPEC) administered by the  
60 National Board of Chiropractic Examiners if the requirements for securing a license in the other  
61 jurisdiction are not equivalent to those required for licensure in the state of Missouri at the time  
62 application is made for licensure under this subsection.

63 7. Any applicant who has failed any portion of the practical examination administered  
64 or approved by the board three times shall be required to return to an accredited chiropractic  
65 college for a semester of additional study in the subjects failed, as provided by rule of the board.

66 8. A chiropractic physician currently licensed in Missouri shall apply to the board for  
67 certification prior to engaging in the practice of meridian therapy/acupressure/acupuncture. Each  
68 such application shall be accompanied by the required fee. The board shall establish by rule the  
69 minimum requirements for the specialty certification under this subsection. "Meridian  
70 therapy/acupressure/acupuncture" shall mean methods of diagnosing and the treatment of a  
71 patient by stimulating specific points on or within the body by various methods including but not  
72 limited to manipulation, heat, cold, pressure, vibration, ultrasound, light, electrocurrent, and  
73 short-needle insertion for the purpose of obtaining a biopositive reflex response by nerve  
74 stimulation.

75 9. The board may through its rulemaking process authorize chiropractic physicians  
76 holding a current Missouri license to apply for certification in a specialty as the board may deem  
77 appropriate and charge a fee for application for certification, provided that:

78 (1) The board establishes minimum initial and continuing educational requirements  
79 sufficient to ensure the competence of applicants seeking certification in the particular specialty;  
80 and

81 (2) The board shall not establish any provision for certification of licensees in a  
82 particular specialty which is not encompassed within the practice of chiropractic as defined in  
83 section 331.010.

332.131. Any person who is [~~at least twenty-one years of age,~~] of good moral character  
2 and reputation, and who is a graduate of and has a degree in dentistry from an accredited dental  
3 school may apply to the board for examination and registration as a dentist in Missouri.

334.530. 1. A candidate for license to practice as a physical therapist shall [~~be at least  
2 twenty-one years of age. A candidate shall~~] furnish evidence of such person's good moral  
3 character and the person's educational qualifications by submitting satisfactory evidence of  
4 completion of a program of physical therapy education approved as reputable by the board. A  
5 candidate who presents satisfactory evidence of the person's graduation from a school of physical  
6 therapy approved as reputable by the American Medical Association or, if graduated before  
7 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission  
8 on Accreditation for Physical Therapy Education or its successor, is deemed to have complied  
9 with the educational qualifications of this subsection.

10 2. Persons desiring to practice as physical therapists in this state shall appear before the  
11 board at such time and place as the board may direct and be examined as to their fitness to  
12 engage in such practice. Applications for examination shall be in writing, on a form furnished  
13 by the board and shall include evidence satisfactory to the board that the applicant possesses the  
14 qualifications set forth in subsection 1 of this section. Each application shall contain a statement  
15 that it is made under oath or affirmation and that its representations are true and correct to the  
16 best knowledge and belief of the applicant, subject to the penalties of making a false affidavit  
17 or declaration.

18 3. The examination of qualified candidates for licenses to practice physical therapy shall  
19 test entry-level competence as related to physical therapy theory, examination and evaluation,  
20 physical therapy diagnosis, prognosis, treatment, intervention, prevention, and consultation.

21 4. The examination shall embrace, in relation to the human being, the subjects of  
22 anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy  
23 theory and procedures as related to medicine, surgery and psychiatry, and such other subjects,  
24 including medical ethics, as the board deems useful to test the fitness of the candidate to practice  
25 physical therapy.

26 5. The applicant shall pass a test administered by the board on the laws and rules related  
27 to the practice of physical therapy in Missouri.

334.655. 1. A candidate for licensure to practice as a physical therapist assistant shall  
2 [~~be at least nineteen years of age. A candidate shall~~] furnish evidence of the person's good moral  
3 character and of the person's educational qualifications. The educational requirements for  
4 licensure as a physical therapist assistant are:

5 (1) A certificate of graduation from an accredited high school or its equivalent; and

- 6 (2) Satisfactory evidence of completion of an associate degree program of physical  
7 therapy education accredited by the commission on accreditation of physical therapy education.
- 8 2. Persons desiring to practice as a physical therapist assistant in this state shall appear  
9 before the board at such time and place as the board may direct and be examined as to the  
10 person's fitness to engage in such practice. Applications for examination shall be on a form  
11 furnished by the board and shall include evidence satisfactory to the board that the applicant  
12 possesses the qualifications provided in subsection 1 of this section. Each application shall  
13 contain a statement that the statement is made under oath of affirmation and that its  
14 representations are true and correct to the best knowledge and belief of the person signing the  
15 statement, subject to the penalties of making a false affidavit or declaration.
- 16 3. The examination of qualified candidates for licensure to practice as physical therapist  
17 assistants shall embrace an examination which shall cover the curriculum taught in accredited  
18 associate degree programs of physical therapy assistant education. Such examination shall be  
19 sufficient to test the qualification of the candidates as practitioners.
- 20 4. The examination shall include, as related to the human body, the subjects of anatomy,  
21 kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as  
22 related to medicine and such other subjects, including medical ethics, as the board deems useful  
23 to test the fitness of the candidate to practice as a physical therapist assistant.
- 24 5. The applicant shall pass a test administered by the board on the laws and rules related  
25 to the practice as a physical therapist assistant in this state.
- 26 6. The board shall license without examination any legally qualified person who is a  
27 resident of this state and who was actively engaged in practice as a physical therapist assistant  
28 on August 28, 1993. The board may license such person pursuant to this subsection until ninety  
29 days after the effective date of this section.
- 30 7. A candidate to practice as a physical therapist assistant who does not meet the  
31 educational qualifications may submit to the board an application for examination if such person  
32 can furnish written evidence to the board that the person has been employed in this state for at  
33 least three of the last five years under the supervision of a licensed physical therapist and such  
34 person possesses the knowledge and training equivalent to that obtained in an accredited school.  
35 The board may license such persons pursuant to this subsection until ninety days after rules  
36 developed by the state board of healing arts regarding physical therapist assistant licensing  
37 become effective.

336.030. 1. A person is qualified to receive a license as an optometrist:

- 2 (1) [~~Who is at least twenty-one years of age;~~  
3 ~~———(2)] Who is of good moral character;~~

4           ~~[(3)]~~ (2) Who has graduated from a college or school of optometry approved by the  
5 board; and

6           ~~[(4)]~~ (3) Who has met either of the following conditions:

7           (a) Has passed an examination satisfactory to, conducted by, or approved by the board  
8 to determine his or her fitness to receive a license as an optometrist with pharmaceutical  
9 certification and met the requirements of licensure as may be required by rule and regulation; or

10           (b) Has been licensed and has practiced for at least three years in the five years  
11 immediately preceding the date of application with pharmaceutical certification in another state,  
12 territory, country, or province in which the requirements are substantially equivalent to the  
13 requirements in this state and has satisfactorily completed any practical examination or any  
14 examination on Missouri laws as may be required by rule and regulation.

15           2. The board may adopt reasonable rules and regulations providing for the examination  
16 and certification of optometrists who apply to the board for the authority to practice optometry  
17 in this state.

          337.020. 1. Each person desiring to obtain a license, whether temporary, provisional or  
2 permanent, as a psychologist shall make application to the committee upon such forms and in  
3 such manner as may be prescribed by the committee and shall pay the required application fee.  
4 **The form shall include a statement that the applicant has completed two hours of suicide**  
5 **assessment, referral, treatment, and management training that meets the guidelines**  
6 **developed by the committee.** The application fee shall not be refundable. Each application  
7 shall contain a statement that it is made under oath or affirmation and that its representations are  
8 true and correct to the best knowledge and belief of the person signing the application, subject  
9 to the penalties of making a false affidavit or declaration.

10           2. Each applicant, whether for temporary, provisional or permanent licensure, shall  
11 submit evidence satisfactory to the committee that the applicant is at least twenty-one years of  
12 age, is of good moral character, and meets the appropriate educational requirements as set forth  
13 in either section 337.021 or 337.025, or is qualified for licensure without examination pursuant  
14 to section 337.029. In determining the acceptability of the applicant's qualifications, the  
15 committee may require evidence that it deems reasonable and proper, in accordance with law,  
16 and the applicant shall furnish the evidence in the manner required by the committee.

17           3. The committee with assistance from the division shall issue a permanent license to  
18 and register as a psychologist any applicant who, in addition to having fulfilled the other  
19 requirements of sections 337.010 to 337.090, passes the examination for professional practice  
20 in psychology and such other examinations in psychology which may be adopted by the  
21 committee, except that an applicant fulfilling the requirement of section 337.029 shall upon  
22 successful completion of the jurisprudence examination and completion of the oral examination

23 be permanently licensed without having to retake the examination for professional practice in  
24 psychology.

25         4. The committee, with assistance from the division, shall issue a provisional license to,  
26 and register as being a provisionally licensed psychologist, any applicant who is a graduate of  
27 a recognized educational institution with a doctoral degree in psychology as defined in section  
28 337.025, and who otherwise meets all requirements to become a licensed psychologist, except  
29 for passage of the national and state licensing exams, oral examination and completion of the  
30 required period of postdegree supervised experience as specified in subsection 2 of section  
31 337.025.

32         5. A provisional license issued pursuant to subsection 4 of this section shall only  
33 authorize and permit the applicant to render those psychological services which are under the  
34 supervision and the full professional responsibility and control of such person's postdoctoral  
35 degree licensed supervisor. A provisional license shall automatically terminate upon issuance  
36 of a permanent license, upon a finding of cause to discipline after notice and hearing pursuant  
37 to section 337.035, upon the expiration of one year from the date of issuance whichever event  
38 first occurs, or upon termination of supervision by the licensed supervisor. The provisional  
39 license may be renewed after one year with a maximum issuance of two years total per  
40 provisional licensee. The committee by rule shall provide procedures for exceptions and  
41 variances from the requirement of a maximum issuance of two years due to vacations, illness,  
42 pregnancy and other good causes.

43         6. The committee, with assistance from the division, shall immediately issue a temporary  
44 license to any applicant for licensure either by reciprocity pursuant to section 337.029, or by  
45 endorsement of the score from the examination for professional practice in psychology upon  
46 receipt of an application for such licensure and upon proof that the applicant is either licensed  
47 as a psychologist in another jurisdiction, is a diplomate of the American Board of Professional  
48 Psychology, or is a member of the National Register of Health Services Providers in Psychology.

49         7. A temporary license issued pursuant to subsection 6 of this section shall authorize the  
50 applicant to practice psychology in this state, the same as if a permanent license had been issued.  
51 Such temporary license shall be issued without payment of an additional fee and shall remain in  
52 full force and effect until the earlier of the following events:

53         (1) A permanent license has been issued to the applicant following successful completion  
54 of the jurisprudence examination and the oral interview examination;

55         (2) In cases where the committee has found the applicant ineligible for licensure and no  
56 appeal has been taken to the administrative hearing commission, then at the expiration of such  
57 appeal time; or

58 (3) In cases where the committee has found the applicant ineligible for licensure and the  
59 applicant has taken an appeal to the administrative hearing commission and the administrative  
60 hearing commission has also found the applicant ineligible, then upon the rendition by the  
61 administrative hearing commission of its findings of fact and conclusions of law to such effect.

62 8. Written and oral examinations pursuant to sections 337.010 to 337.090 shall be  
63 administered by the committee at least twice each year to any applicant who meets the  
64 educational requirements set forth in either section 337.021 or 337.025 or to any applicant who  
65 is seeking licensure either by reciprocity pursuant to section 337.029, or by endorsement of the  
66 score from the examination of professional practice in psychology. The committee shall examine  
67 in the areas of professional knowledge, techniques and applications, research and its  
68 interpretation, professional affairs, ethics, and Missouri law and regulations governing the  
69 practice of psychology. The committee may use, in whole or in part, the examination for  
70 professional practice in psychology national examination in psychology or such other national  
71 examination in psychology which may be available.

72 9. If an applicant fails any examination, the applicant shall be permitted to take a  
73 subsequent examination, upon the payment of an additional reexamination fee. This  
74 reexamination fee shall not be refundable.

337.315. 1. An applied behavior analysis intervention shall produce socially significant  
2 improvements in human behavior through skill acquisition, increase or decrease in behaviors  
3 under specific environmental conditions and the reduction of problematic behavior. An applied  
4 behavior analysis intervention shall:

5 (1) Be based on empirical research and the identification of functional relations between  
6 behavior and environment, contextual factors, antecedent stimuli and reinforcement operations  
7 through the direct observation and measurement of behavior, arrangement of events and  
8 observation of effects on behavior, as well as other information gathering methods such as record  
9 review and interviews; and

10 (2) Utilize changes and arrangements of contextual factors, antecedent stimuli, positive  
11 reinforcement, and other consequences to produce behavior change.

12 2. Each person wishing to practice as a licensed behavior analyst shall:

13 (1) Submit a complete application on a form approved by the committee **which shall**  
14 **include a statement that the applicant has completed two hours of suicide assessment,**  
15 **referral, treatment, and management training;**

16 (2) Pay all necessary fees as set by the committee;

17 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more  
18 than six months prior to the application date;

19 (4) Provide two classified sets of fingerprints for processing by the Missouri state  
20 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol  
21 to search the criminal history repository and the second set shall be forwarded to the Federal  
22 Bureau of Investigation for searching the federal criminal history files;

23 (5) Have passed an examination and been certified as a board-certified behavior analyst  
24 by a certifying entity, as defined in section 337.300;

25 (6) Provide evidence of active status as a board-certified behavior analyst; and

26 (7) If the applicant holds a license as a behavior analyst in another state, a statement from  
27 all issuing states verifying licensure and identifying any disciplinary action taken against the  
28 license holder by that state.

29 3. Each person wishing to practice as a licensed assistant behavior analyst shall:

30 (1) Submit a complete application on a form approved by the committee;

31 (2) Pay all necessary fees as set by the committee;

32 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more  
33 than six months prior to the application date;

34 (4) Provide two classified sets of fingerprints for processing by the Missouri state  
35 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol  
36 to search the criminal history repository and the second set shall be forwarded to the Federal  
37 Bureau of Investigation for searching the federal criminal history files;

38 (5) Have passed an examination and been certified as a board-certified assistant behavior  
39 analyst by a certifying entity, as defined in section 337.300;

40 (6) Provide evidence of active status as a board-certified assistant behavior analyst;

41 (7) If the applicant holds a license as an assistant behavior analyst in another state, a  
42 statement from all issuing states verifying licensure and identifying any disciplinary action taken  
43 against the license holder by that state; and

44 (8) Submit documentation satisfactory to the committee that the applicant will be directly  
45 supervised by a licensed behavior analyst in a manner consistent with the certifying entity.

46 4. The committee shall be authorized to issue a temporary license to an applicant for a  
47 behavior analyst license or assistant behavior analyst license upon receipt of a complete  
48 application, submission of a fee as set by the committee by rule for behavior analyst or assistant  
49 behavior analyst, and a showing of valid licensure as a behavior analyst or assistant behavior  
50 analyst in another state, only if the applicant has submitted fingerprints and no disqualifying  
51 criminal history appears on the family care safety registry. The temporary license shall expire  
52 upon issuance of a license or denial of the application but no later than ninety days from issuance  
53 of the temporary license. Upon written request to the committee, the holder of a temporary  
54 license shall be entitled to one extension of ninety days of the temporary license.

55           5. (1) The committee shall, in accordance with rules promulgated by the committee,  
56 issue a provisional behavior analyst license or a provisional assistant behavior analyst license  
57 upon receipt by the committee of a complete application, appropriate fee as set by the committee  
58 by rule, and proof of satisfaction of requirements under subsections 2 and 3 of this section,  
59 respectively, and other requirements established by the committee by rule, except that applicants  
60 for a provisional license as either a behavior analyst or assistant behavior analyst need not have  
61 passed an examination and been certified as a board-certified behavior analyst or a  
62 board-certified assistant behavior analyst to obtain a provisional behavior analyst or provisional  
63 assistant behavior analyst license.

64           (2) A provisional license issued under this subsection shall only authorize and permit the  
65 licensee to render behavior analysis under the supervision and the full professional responsibility  
66 and control of such licensee's licensed supervisor.

67           (3) A provisional license shall automatically terminate upon issuance of a permanent  
68 license, upon a finding of cause to discipline after notice and hearing under section 337.330,  
69 upon termination of supervision by a licensed supervisor, or upon the expiration of one year from  
70 the date of issuance of the provisional license, whichever first occurs. The provisional license  
71 may be renewed after one year, with a maximum issuance of two years. Upon a showing of good  
72 cause, the committee by rule shall provide procedures for exceptions and variances from the  
73 requirement of a maximum issuance of two years.

74           6. No person shall hold himself or herself out to be licensed behavior analysts or LBA,  
75 provisionally licensed behavior analyst or PLBA, provisionally licensed assistant behavior  
76 analyst or PLABA, temporary licensed behavior analyst or TLBA, or temporary licensed  
77 assistant behavior analyst or TLaBA, licensed assistant behavior analysts or LaBA in the state  
78 of Missouri unless they meet the applicable requirements.

79           7. No persons shall practice applied behavior analysis unless they are:

80           (1) Licensed behavior analysts;

81           (2) Licensed assistant behavior analysts working under the supervision of a licensed  
82 behavior analyst;

83           (3) An individual who has a bachelor's or graduate degree and completed course work  
84 for licensure as a behavior analyst and is obtaining supervised field experience under a licensed  
85 behavior analyst pursuant to required supervised work experience for licensure at the behavior  
86 analyst or assistant behavior analyst level;

87           (4) Licensed psychologists practicing within the rules and standards of practice for  
88 psychologists in the state of Missouri and whose practice is commensurate with their level of  
89 training and experience;

90           (5) Provisionally licensed behavior analysts;

91 (6) Provisionally licensed assistant behavior analysts;

92 (7) Temporary licensed behavior analysts; or

93 (8) Temporary licensed assistant behavior analysts.

94 8. Notwithstanding the provisions in subsection 6 of this section, any licensed or  
95 certified professional may practice components of applied behavior analysis, as defined in  
96 section 337.300 if he or she is acting within his or her applicable scope of practice and ethical  
97 guidelines.

98 9. All licensed behavior analysts and licensed assistant behavior analysts shall be bound  
99 by the code of conduct adopted by the committee by rule.

100 10. Licensed assistant behavior analysts shall work under the direct supervision of a  
101 licensed behavior analyst as established by committee rule.

102 11. Persons who provide services under the Individuals with Disabilities Education Act  
103 (IDEA), 20 U.S.C. Section 1400, et seq., or Section 504 of the federal Rehabilitation Act of  
104 1973, 29 U.S.C. Section 794, or are enrolled in a course of study at a recognized educational  
105 institution through which the person provides applied behavior analysis as part of supervised  
106 clinical experience shall be exempt from the requirements of this section.

107 12. A violation of this section shall be punishable by probation, suspension, or loss of  
108 any license held by the violator.

337.320. 1. The division shall mail a renewal notice to the last known address of each  
2 licensee or registrant prior to the renewal date.

3 2. Each person wishing to renew the behavior analyst license or the assistant behavior  
4 analyst license shall:

5 (1) Submit a complete application on a form approved by the committee **which shall**  
6 **include a statement that the applicant has completed two hours of suicide assessment,**  
7 **referral, treatment, and management training;**

8 (2) Pay all necessary fees as set by the committee; and

9 (3) Submit proof of active certification and fulfillment of all requirements for renewal  
10 and recertification with the certifying entity.

11 3. Failure to provide the division with documentation required by subsection 2 of this  
12 section or other information required for renewal shall effect a revocation of the license after a  
13 period of sixty days from the renewal date.

14 4. Each person wishing to restore the license, within two years of the renewal date, shall:

15 (1) Submit a complete application on a form approved by the committee;

16 (2) Pay the renewal fee and a delinquency fee as set by the committee; and

17 (3) Submit proof of current certification from a certifying body approved by the  
18 committee.

19           5. A new license to replace any certificate lost, destroyed, or mutilated may be issued  
20 subject to the rules of the committee, upon payment of a fee established by the committee.

21           6. The committee shall set the amount of the fees authorized by sections 337.300 to  
22 337.345 and required by rules promulgated under section 536.021. The fees shall be set at a  
23 level to produce revenue which shall not substantially exceed the cost and expense of  
24 administering sections 337.300 to 337.345.

25           7. The committee is authorized to issue an inactive license to any licensee who makes  
26 written application for such license on a form provided by the committee and remits the fee for  
27 an inactive license established by the committee. An inactive license may be issued only to a  
28 person who has previously been issued a license to practice as a licensed behavior analyst or a  
29 licensed assistant behavior analyst who is no longer regularly engaged in such practice and who  
30 does not hold himself or herself out to the public as being professionally engaged in such practice  
31 in this state. Each inactive license shall be subject to all provisions of this chapter, except as  
32 otherwise specifically provided. Each inactive license may be renewed by the committee subject  
33 to all provisions of this section and all other provisions of this chapter. The inactive licensee  
34 shall not be required to submit evidence of completion of continuing education as required by  
35 this chapter.

36           8. An inactive licensee may apply for a license to regularly engage in the practice of  
37 behavioral analysis by:

38           (1) Submitting a complete application on a form approved by the committee;

39           (2) Paying the reactivation fee as set by the committee; and

40           (3) Submitting proof of current certification from a certifying body approved by the  
41 committee.

          337.507. 1. Applications for examination and licensure as a professional counselor shall  
2 be in writing, submitted to the division on forms prescribed by the division and furnished to the  
3 applicant. **The form shall include a statement that the applicant has completed two hours**  
4 **of suicide assessment, referral, treatment, and management training.** The application shall  
5 contain the applicant's statements showing his education, experience and such other information  
6 as the division may require. Each application shall contain a statement that it is made under oath  
7 or affirmation and that the information contained therein is true and correct to the best  
8 knowledge and belief of the applicant, subject to the penalties provided for the making of a false  
9 affidavit or declaration. Each application shall be accompanied by the fees required by the  
10 committee.

11           2. The division shall mail a renewal notice to the last known address of each licensee  
12 prior to the registration renewal date. Failure to provide the division with the information  
13 required for registration, or to pay the registration fee after such notice shall effect a revocation

14 of the license after a period of sixty days from the registration renewal date. The license shall  
15 be restored if, within two years of the registration date, the applicant provides written application  
16 and the payment of the registration fee and a delinquency fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued  
18 subject to the rules of the committee, upon payment of a fee.

19 4. The committee shall set the amount of the fees which sections 337.500 to 337.540  
20 authorize and require by rules and regulations promulgated pursuant to section 536.021. The  
21 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and  
22 expense of administering the provisions of sections 337.500 to 337.540. All fees provided for  
23 in sections 337.500 to 337.540 shall be collected by the director who shall deposit the same with  
24 the state treasurer in a fund to be known as the "Committee of Professional Counselors Fund".

25 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
26 shall not be transferred and placed to the credit of general revenue until the amount in the fund  
27 at the end of the biennium exceeds two times the amount of the appropriation from the  
28 committee's fund for the preceding fiscal year or, if the committee requires by rule renewal less  
29 frequently than yearly then three times the appropriation from the committee's fund for the  
30 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the  
31 fund which exceeds the appropriate multiple of the appropriations from the committee's fund for  
32 the preceding fiscal year.

33 6. The committee shall hold public examinations at least two times per year, at such  
34 times and places as may be fixed by the committee, notice of such examinations to be given to  
35 each applicant at least ten days prior thereto.

337.510. 1. Each applicant for licensure as a professional counselor shall furnish  
2 evidence to the committee that the applicant is at least eighteen years of age, is of good moral  
3 character, is a United States citizen or is legally present in the United States; and

4 (1) The applicant has completed a course of study as defined by the board rule leading  
5 to a master's, specialist's, or doctoral degree with a major in counseling; and

6 (2) The applicant has completed acceptable supervised counseling as defined by board  
7 rule. If the applicant has a master's degree with a major in counseling as defined by board rule,  
8 the applicant shall complete at least two years of acceptable supervised counseling experience  
9 subsequent to the receipt of the master's degree. The composition and number of hours  
10 comprising the acceptable supervised counseling experience shall be defined by board rule. An  
11 applicant may substitute thirty semester hours of post master's graduate study for one of the two  
12 required years of acceptable supervised counseling experience if such hours are clearly related  
13 to counseling;

14 (3) After August 28, 2007, each applicant shall have completed a minimum of three  
15 hours of graduate level coursework in diagnostic systems either in the curriculum leading to a  
16 degree or as post master's graduate level course work;

17 (4) Upon examination, the applicant is possessed of requisite knowledge of the  
18 profession, including techniques and applications, research and its interpretation, and  
19 professional affairs and ethics.

20 2. Any person who previously held a valid unrevoked, unsuspended license as a  
21 professional counselor in this state and who held a valid license as a professional counselor in  
22 another state at the time of application to the committee shall be granted a license to engage in  
23 professional counseling in this state upon application to the committee accompanied by the  
24 appropriate fee as established by the committee pursuant to section 337.507.

25 3. Any person holding a current license, certificate of registration, or permit from another  
26 state or territory of the United States to practice as a professional counselor who is at least  
27 eighteen years of age, is of good moral character, and is a United States citizen or is legally  
28 present in the United States may be granted a license without examination to engage in the  
29 practice of professional counseling in this state upon the application to the board, payment of the  
30 required fee as established by the board, and satisfying one of the following requirements:

31 (1) Approval by the American Association of State Counseling Boards (AASCB) or its  
32 successor organization according to the eligibility criteria established by AASCB. The successor  
33 organization shall be defined by board rule; or

34 (2) In good standing and currently certified by the National Board for Certified  
35 Counselors or its successor organization and has completed acceptable supervised counseling  
36 experience as defined by board rule. The successor organization shall be defined by board rule;  
37 or

38 (3) Determination by the board that the requirements of the other state or territory are  
39 substantially the same as Missouri and certified by the applicant's current licensing entity that  
40 the applicant has a current license. The applicant shall also consent to examination of any  
41 disciplinary history.

42 4. The committee shall issue a license to each person who files an application and fee  
43 and who furnishes evidence satisfactory to the committee that the applicant has complied with  
44 the provisions of this act and has taken and passed a written, open-book examination on Missouri  
45 laws and regulations governing the practice of professional counseling as defined in section  
46 337.500. The division shall issue a provisional professional counselor license to any applicant  
47 who meets all requirements of this section, but who has not completed the required acceptable  
48 supervised counseling experience and such applicant may reapply for licensure as a professional  
49 counselor upon completion of such acceptable supervised counseling experience.

50           5. All persons licensed to practice professional counseling in this state shall pay on or  
51 before the license renewal date a renewal license fee and shall furnish to the committee  
52 satisfactory evidence of the completion of the requisite number of hours of continuing education  
53 as required by rule, **including two hours of suicide assessment, referral, treatment, and**  
54 **management training**, which shall be no more than forty hours biennially. The continuing  
55 education requirements may be waived by the committee upon presentation to the committee of  
56 satisfactory evidence of the illness of the licensee or for other good cause.

          337.612. 1. Applications for licensure as a clinical social worker, baccalaureate social  
2 worker, advanced macro social worker or master social worker shall be in writing, submitted to  
3 the committee on forms prescribed by the committee and furnished to the applicant. **The form**  
4 **shall include a statement that the applicant has completed two hours of suicide assessment,**  
5 **referral, treatment, and management training.** The application shall contain the applicant's  
6 statements showing the applicant's education, experience, and such other information as the  
7 committee may require. Each application shall contain a statement that it is made under oath or  
8 affirmation and that the information contained therein is true and correct to the best knowledge  
9 and belief of the applicant, subject to the penalties provided for the making of a false affidavit  
10 or declaration. Each application shall be accompanied by the fees required by the committee.

11           2. The committee shall mail a renewal notice to the last known address of each licensee  
12 prior to the licensure renewal date. Failure to provide the committee with the information  
13 required for licensure, or to pay the licensure fee after such notice shall effect a revocation of the  
14 license after a period of sixty days from the licensure renewal date. The license shall be restored  
15 if, within two years of the licensure date, the applicant provides written application and the  
16 payment of the licensure fee and a delinquency fee.

17           3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued  
18 subject to the rules of the committee, upon payment of a fee.

19           4. The committee shall set the amount of the fees which sections 337.600 to 337.689  
20 authorize and require by rules and regulations promulgated pursuant to section 536.021. The  
21 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and  
22 expense of administering the provisions of sections 337.600 to 337.689. All fees provided for  
23 in sections 337.600 to 337.689 shall be collected by the director who shall deposit the same with  
24 the state treasurer in a fund to be known as the "Clinical Social Workers Fund". After August  
25 28, 2007, the clinical social workers fund shall be called the "Licensed Social Workers Fund"  
26 and after such date all references in state law to the clinical social workers fund shall be  
27 considered references to the licensed social workers fund.

28           5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
29 shall not be transferred and placed to the credit of general revenue until the amount in the fund

30 at the end of the biennium exceeds two times the amount of the appropriations from the clinical  
31 social workers fund for the preceding fiscal year or, if the committee requires by rule renewal  
32 less frequently than yearly, then three times the appropriation from the committee's fund for the  
33 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the  
34 fund which exceeds the appropriate multiple of the appropriations from the clinical social  
35 workers fund for the preceding fiscal year.

337.618. Each license issued pursuant to the provisions of sections 337.600 to 337.689  
2 shall expire on a renewal date established by the director. The term of licensure shall be  
3 twenty-four months. The committee shall require a minimum number of thirty clock hours of  
4 continuing education for renewal of a license issued pursuant to sections 337.600 to 337.689,  
5 **including two hours of suicide assessment, referral, treatment, and management training.**  
6 The committee shall renew any license upon application for a renewal, completion of the  
7 required continuing education hours and upon payment of the fee established by the committee  
8 pursuant to the provisions of section 337.612. As provided by rule, the board may waive or  
9 extend the time requirements for completion of continuing education for reasons related to  
10 health, military service, foreign residency, or for other good cause. All requests for waivers or  
11 extensions of time shall be made in writing and submitted to the board before the renewal date.

337.662. 1. Applications for licensure as a baccalaureate social worker shall be in  
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the  
3 applicant. **The form shall include a statement that the applicant has completed two hours**  
4 **of suicide assessment, referral, treatment, and management training.** The application shall  
5 contain the applicant's statements showing the applicant's education, experience and such other  
6 information as the committee may require. Each application shall contain a statement that it is  
7 made under oath or affirmation and that the information contained therein is true and correct to  
8 the best knowledge and belief of the applicant, subject to the penalties provided for the making  
9 of a false affidavit or declaration. Each application shall be accompanied by the fees required  
10 by the committee.

11 2. The committee shall mail a renewal notice to the last known address of each licensee  
12 prior to the licensure renewal date. Failure to provide the committee with the information  
13 required for licensure **as provided in subsection 1 of this section**, or to pay the licensure fee  
14 after such notice shall effect a revocation of the license after a period of sixty days from the  
15 licensure renewal date. The license shall be restored if, within two years of the licensure date,  
16 the applicant provides written application and the payment of the licensure fee and a delinquency  
17 fee.

18 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued  
19 subject to the rules of the committee, upon payment of a fee.

20           4. The committee shall set the amount of the fees which sections 337.650 to 337.689  
21 authorize and require by rules and regulations promulgated pursuant to chapter 536. The fees  
22 shall be set at a level to produce revenue which shall not substantially exceed the cost and  
23 expense of administering the provisions of sections 337.650 to 337.689. All fees provided for  
24 in sections 337.650 to 337.689 shall be collected by the director who shall deposit the same with  
25 the state treasurer in the clinical social workers fund established in section 337.612.

          337.712. 1. Applications for licensure as a marital and family therapist shall be in  
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the  
3 applicant. **The form shall include a statement that the applicant has completed two hours**  
4 **of suicide assessment, referral, treatment, and management training.** The application shall  
5 contain the applicant's statements showing the applicant's education, experience and such other  
6 information as the committee may require. Each application shall contain a statement that it is  
7 made under oath or affirmation and that the information contained therein is true and correct to  
8 the best knowledge and belief of the applicant, subject to the penalties provided for the making  
9 of a false affidavit or declaration. Each application shall be accompanied by the fees required  
10 by the division.

11           2. The division shall mail a renewal notice to the last known address of each licensee  
12 prior to the licensure renewal date. Failure to provide the division with the information required  
13 for license, or to pay the licensure fee after such notice shall effect a revocation of the license  
14 after a period of sixty days from the license renewal date. The license shall be restored if, within  
15 two years of the licensure date, the applicant provides written application and the payment of the  
16 licensure fee and a delinquency fee.

17           3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued  
18 subject to the rules of the division upon payment of a fee.

19           4. The committee shall set the amount of the fees authorized. The fees shall be set at a  
20 level to produce revenue which shall not substantially exceed the cost and expense of  
21 administering the provisions of sections 337.700 to 337.739. All fees provided for in sections  
22 337.700 to 337.739 shall be collected by the director who shall deposit the same with the state  
23 treasurer to a fund to be known as the "Marital and Family Therapists' Fund".

24           5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
25 shall not be transferred and placed to the credit of general revenue until the amount in the fund  
26 at the end of the biennium exceeds two times the amount of the appropriations from the marital  
27 and family therapists' fund for the preceding fiscal year or, if the division requires by rule  
28 renewal less frequently than yearly then three times the appropriation from the fund for the  
29 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the

30 fund which exceeds the appropriate multiple of the appropriations from the marital and family  
31 therapists' fund for the preceding fiscal year.

337.718. 1. Each license issued pursuant to the provisions of sections 337.700 to  
2 337.739 shall expire on a renewal date established by the director. The term of licensure shall  
3 be twenty-four months; however, the director may establish a shorter term for the first licenses  
4 issued pursuant to sections 337.700 to 337.739. The division shall renew any license upon  
5 application for a renewal and upon payment of the fee established by the division pursuant to the  
6 provisions of section 337.712. Effective August 28, 2008, as a prerequisite for renewal, each  
7 licensed marital and family therapist shall furnish to the committee satisfactory evidence of the  
8 completion of the requisite number of hours of continuing education as defined by rule, which  
9 shall be no more than forty contact hours biennially. **At least two hours of continuing**  
10 **education shall be in suicide assessment, referral, treatment, and management training.**  
11 The continuing education requirements may be waived by the committee upon presentation to  
12 the committee of satisfactory evidence of illness or for other good cause.

13 2. The committee may issue temporary permits to practice under extenuating  
14 circumstances as determined by the committee and defined by rule.

341.170. 1. Applicants for a master plumber's license shall ~~[be at least twenty-five years~~  
2 ~~of age and shall]~~ have had three years or more experience as a licensed journeyman plumber  
3 theretofore licensed by any county or city operating under plumbing laws or regulations equal  
4 to the requirements of sections 341.090 to 341.220. The applicant shall possess the ability to  
5 direct other persons in the installation of plumbing and drainage and shall be skilled in planning,  
6 designing and installing plumbing and drainage facilities and shall have a thorough knowledge  
7 of the accepted standards, principles and art of plumbing for the protection of the public health.

8 2. An applicant for a license as a journeyman plumber shall ~~[be at least twenty-one years~~  
9 ~~of age and shall]~~ have had at least five years' experience as an apprentice under the direction and  
10 supervision of a master plumber licensed under the provisions of sections 341.090 to 341.220  
11 or a master plumber licensed under the plumbing laws and regulations of any county or city  
12 operating under laws or regulations equal to the requirements of sections 341.090 to 341.220.  
13 He **or she** shall have a practical knowledge of plumbing and shall be skilled in the art of  
14 installing plumbing and drainage facilities and shall have knowledge of the accepted standards  
15 and principles of plumbing and sewer or drainage facilities for the protection of the public health.

16 3. An applicant for a master drainlayer's license shall ~~[be at least twenty-five years of age~~  
17 ~~and shall]~~ have had three years' or more experience as a licensed journeyman drainlayer  
18 theretofore licensed by any county or city operating under plumbing laws or regulations equal  
19 to the requirements of sections 341.090 to 341.220. The applicant shall possess the ability to  
20 direct other persons in the installation of drains and sewers and shall be skilled in planning,

21 designing and installing sewer and drain facilities and shall have a thorough practical knowledge  
22 of the accepted standards, principles and art of drainlaying for the protection of the public health.

23 4. An applicant for a journeyman drainlayer's license shall have worked at drainlaying  
24 under the supervision of a licensed master plumber or master drainlayer for a period of at least  
25 one year and shall possess a knowledge of drainlaying and the ability to lay drains and shall have  
26 a thorough understanding of sewer and drain installation and shall have the ability to install all  
27 types of sewers and drains conformable with standard engineering principles and specifications.

28 5. Any licensed master plumber or journeyman plumber desirous of engaging in the  
29 business of drainlaying shall secure a drainlayer's license and no master plumber or journeyman  
30 plumber shall engage in the business of drainlaying without first securing a drainlayer's license.

344.030. 1. An applicant for an initial license shall file a completed application with the  
2 board on a form provided by the board, accompanied by an application fee as provided by rule  
3 payable to the department of health and senior services. Information provided in the application  
4 **shall be** attested by signature to be true and correct to the best of the applicant's knowledge and  
5 belief.

6 2. No initial license shall be issued to a person as a nursing home administrator unless:

7 (1) The applicant provides the board satisfactory proof that the applicant is [~~twenty-one~~  
8 ~~years of age or over,~~] of good moral character and a high school graduate or equivalent;

9 (2) The applicant provides the board satisfactory proof that the applicant has had a  
10 minimum of three years' experience in health care administration or two years of postsecondary  
11 education in health care administration or has satisfactorily completed a course of instruction and  
12 training prescribed by the board, which includes instruction in the needs properly to be served  
13 by nursing homes, the protection of the interests of residents therein, and the elements of good  
14 nursing home administration, or has presented evidence satisfactory to the board of sufficient  
15 education, training, or experience in the foregoing fields to administer, supervise and manage  
16 a nursing home; and

17 (3) The applicant passes the examinations administered by the board. If an applicant  
18 fails to make a passing grade on either of the examinations such applicant may make application  
19 for reexamination on a form furnished by the board and may be retested. If an applicant fails  
20 either of the examinations a third time, the applicant shall be required to complete a course of  
21 instruction prescribed and approved by the board. After completion of the board-prescribed  
22 course of instruction, the applicant may reapply for examination. With regard to the national  
23 examination required for licensure, no examination scores from other states shall be recognized  
24 by the board after the applicant has failed his or her third attempt at the national examination.  
25 There shall be a separate, nonrefundable fee for each examination. The board shall set the  
26 amount of the fee for examination by rules and regulations promulgated pursuant to section

27 536.021. The fee shall be set at a level to produce revenue which shall not substantially exceed  
28 the cost and expense of administering the examination.

29 3. The board may issue a license through reciprocity to any person who is regularly  
30 licensed as a nursing home administrator in any other state, territory, or the District of Columbia,  
31 if the regulations for securing such license are equivalent to those required in the state of  
32 Missouri. However, no license by reciprocity shall be issued until the applicant passes a special  
33 examination approved by the board, which will examine the applicant's knowledge of specific  
34 provisions of Missouri statutes and regulations pertaining to nursing homes. The applicant shall  
35 furnish satisfactory evidence that such applicant is of good moral character and has acted in the  
36 capacity of a nursing home administrator in such state, territory, or the District of Columbia at  
37 least one year after the securing of the license. The board, in its discretion, may enter into  
38 written reciprocal agreements pursuant to this section with other states which have equivalent  
39 laws and regulations.

40 4. Nothing in sections 344.010 to 344.108, or the rules or regulations thereunder shall  
41 be construed to require an applicant for a license as a nursing home administrator, who is  
42 employed by an institution listed and certified by the Commission for Accreditation of Christian  
43 Science Nursing Organizations/Facilities, Inc., to administer institutions certified by such  
44 commission for the care and treatment of the sick in accordance with the creed or tenets of a  
45 recognized church or religious denomination, to demonstrate proficiency in any techniques or  
46 to meet any educational qualifications or standards not in accord with the remedial care and  
47 treatment provided in such institutions. The applicant's license shall be endorsed to confine the  
48 applicant's practice to such institutions.

49 5. The board may issue a temporary emergency license for a period not to exceed ninety  
50 days to a person [~~twenty-one years of age or over,~~] of good moral character and a high school  
51 graduate or equivalent to serve as an acting nursing home administrator, provided such person  
52 is replacing a licensed nursing home administrator who has died, has been removed or has  
53 vacated the nursing home administrator's position. No temporary emergency license may be  
54 issued to a person who has had a nursing home administrator's license denied, suspended or  
55 revoked. A temporary emergency license may be renewed for one additional ninety-day period  
56 upon a showing that the person seeking the renewal of a temporary emergency license meets the  
57 qualifications for licensure and has filed an application for a regular license, accompanied by the  
58 application fee, and the applicant has taken the examination or examinations but the results have  
59 not been received by the board. No temporary emergency license may be renewed more than one  
60 time.

374.715. 1. Applications for examination and licensure as a bail bond agent or general  
2 bail bond agent shall be in writing and on forms prescribed and furnished by the department, and

3 shall contain such information as the department requires. Each application shall be  
4 accompanied by proof satisfactory to the department that the applicant is a citizen of the United  
5 States, [~~is at least twenty-one years of age,~~] has a high school diploma or general education  
6 development certificate (GED), is of good moral character, and meets the qualifications for  
7 surety on bail bonds as provided by supreme court rule. Each application shall be accompanied  
8 by the examination and application fee set by the department. Individuals currently employed  
9 as bail bond agents and general bail bond agents shall not be required to meet the education  
10 requirements needed for licensure pursuant to this section.

11         2. In addition, each applicant for licensure as a general bail bond agent shall furnish  
12 proof satisfactory to the department that the applicant or, if the applicant is a corporation, that  
13 each officer thereof has completed at least two years as a bail bond agent, and that the applicant  
14 possesses liquid assets of at least ten thousand dollars, along with a duly executed assignment  
15 of ten thousand dollars to the state of Missouri. The assignment shall become effective upon the  
16 applicant's violating any provision of sections 374.695 to 374.789. The assignment required by  
17 this section shall be in the form and executed in the manner prescribed by the department. The  
18 director may require by regulation conditions by which additional assignments of assets of the  
19 general bail bond agent may occur when the circumstances of the business of the general bail  
20 bond agent warrants additional funds. However, such additional funds shall not exceed twenty-  
21 five thousand dollars.

374.784. 1. Applications for examination and licensure as a surety recovery agent shall  
2 be submitted on forms prescribed by the department and shall contain such information as the  
3 department requires, along with a copy of the front and back of a photographic identification  
4 card.

5         2. Each application shall be accompanied by proof satisfactory to the director that the  
6 applicant is a citizen of the United States[~~, is at least twenty-one years of age,~~] and has a high  
7 school diploma or a general educational development certificate (GED). An applicant shall  
8 furnish evidence of such person's qualifications by completing an approved surety recovery agent  
9 course with at least twenty-four hours of initial minimum training. The director shall determine  
10 which institutions, organizations, associations, and individuals shall be eligible to provide said  
11 training. Said instructions and fees associated therewith shall be identical or similar to those  
12 prescribed in section 374.710 for bail bond agents and general bail bond agents.

13         3. In addition to said twenty-four hours of initial minimum training, licensees shall be  
14 required to receive eight hours of biennial continuing education of which said instructions and  
15 fees shall be identical or similar to those prescribed in section 374.710 for bail bond agents and  
16 general bail bond agents.

17           4. Applicants for surety recovery agents licensing shall be exempt from said  
18 requirements of the twenty-four hours of initial minimum training if applicants provide proof of  
19 prior training as a law enforcement officer with at least two years of such service within the ten  
20 years prior to the application being submitted to the department.

21           5. The director may refuse to issue any license pursuant to sections 374.783 to 374.789,  
22 for any one or any combination of causes stated in section 374.787. The director shall notify the  
23 applicant in writing of the reason or reasons for refusal and shall advise the applicant of the right  
24 to file a complaint with the administrative hearing commission to appeal the refusal as provided  
25 by chapter 621.

          632.005. As used in chapter 631 and this chapter, unless the context clearly requires  
2 otherwise, the following terms shall mean:

3           (1) "Comprehensive psychiatric services", any one, or any combination of two or more,  
4 of the following services to persons affected by mental disorders other than intellectual  
5 disabilities or developmental disabilities: inpatient, outpatient, day program or other partial  
6 hospitalization, emergency, diagnostic, treatment, liaison, follow-up, consultation, education,  
7 rehabilitation, prevention, screening, transitional living, medical prevention and treatment for  
8 alcohol abuse, and medical prevention and treatment for drug abuse;

9           (2) "Council", the Missouri advisory council for comprehensive psychiatric services;

10          (3) "Court", the court which has jurisdiction over the respondent or patient;

11          (4) "Division", the division of comprehensive psychiatric services of the department of  
12 mental health;

13          (5) "Division director", director of the division of comprehensive psychiatric services  
14 of the department of mental health, or his designee;

15          (6) "Head of mental health facility", superintendent or other chief administrative officer  
16 of a mental health facility, or his designee;

17          (7) "Judicial day", any Monday, Tuesday, Wednesday, Thursday or Friday when the  
18 court is open for business, but excluding Saturdays, Sundays and legal holidays;

19          (8) "Licensed physician", a physician licensed pursuant to the provisions of chapter 334  
20 or a person authorized to practice medicine in this state pursuant to the provisions of section  
21 334.150;

22          (9) "Licensed professional counselor", a person licensed as a professional counselor  
23 under chapter 337 and with a minimum of one year training or experience in providing  
24 psychiatric care, treatment, or services in a psychiatric setting to individuals suffering from a  
25 mental disorder;

26          (10) "Likelihood of serious harm" means any one or more of the following but does not  
27 require actual physical injury to have occurred:

28 (a) A substantial risk that serious physical harm will be inflicted by a person upon his  
29 own person, as evidenced by recent threats, including verbal threats, or attempts to commit  
30 suicide or inflict physical harm on himself. Evidence of substantial risk may also include  
31 information about patterns of behavior that historically have resulted in serious harm previously  
32 being inflicted by a person upon himself;

33 (b) A substantial risk that serious physical harm to a person will result or is occurring  
34 because of an impairment in his capacity to make decisions with respect to his hospitalization  
35 and need for treatment as evidenced by his current mental disorder or mental illness which  
36 results in an inability to provide for his own basic necessities of food, clothing, shelter, safety  
37 or medical care or his inability to provide for his own mental health care which may result in a  
38 substantial risk of serious physical harm. Evidence of that substantial risk may also include  
39 information about patterns of behavior that historically have resulted in serious harm to the  
40 person previously taking place because of a mental disorder or mental illness which resulted in  
41 his inability to provide for his basic necessities of food, clothing, shelter, safety or medical or  
42 mental health care; or

43 (c) A substantial risk that serious physical harm will be inflicted by a person upon  
44 another as evidenced by recent overt acts, behavior or threats, including verbal threats, which  
45 have caused such harm or which would place a reasonable person in reasonable fear of sustaining  
46 such harm. Evidence of that substantial risk may also include information about patterns of  
47 behavior that historically have resulted in physical harm previously being inflicted by a person  
48 upon another person;

49 (11) "Mental health coordinator", a mental health professional who has knowledge of  
50 the laws relating to hospital admissions and civil commitment and who is authorized by the  
51 director of the department, or his designee, to serve a designated geographic area or mental  
52 health facility and who has the powers, duties and responsibilities provided in this chapter;

53 (12) "Mental health facility", any residential facility, public or private, or any public or  
54 private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering  
55 from a mental disorder or mental illness and which is recognized as such by the department or  
56 any outpatient treatment program certified by the department of mental health. No correctional  
57 institution or facility, jail, regional center or developmental disability facility shall be a mental  
58 health facility within the meaning of this chapter;

59 (13) "Mental health professional", a psychiatrist, resident in psychiatry, **psychiatric**  
60 **physician assistant, psychiatric assistant physician, psychiatric advanced practice**  
61 **registered nurse**, psychologist, psychiatric nurse, licensed professional counselor, or psychiatric  
62 social worker;

63 (14) "Mental health program", any public or private residential facility, public or private  
64 hospital, public or private specialized service or public or private day program that can provide  
65 care, treatment, rehabilitation or services, either through its own staff or through contracted  
66 providers, in an inpatient or outpatient setting to persons with a mental disorder or mental illness  
67 or with a diagnosis of alcohol abuse or drug abuse which is recognized as such by the  
68 department. No correctional institution or facility or jail may be a mental health program within  
69 the meaning of this chapter;

70 (15) "Ninety-six hours" shall be construed and computed to exclude Saturdays, Sundays  
71 and legal holidays which are observed either by the court or by the mental health facility where  
72 the respondent is detained;

73 (16) "Peace officer", a sheriff, deputy sheriff, county or municipal police officer or  
74 highway patrolman;

75 (17) **"Psychiatric advanced practice registered nurse", a registered nurse who is**  
76 **currently recognized by the board of nursing as an advanced practice registered nurse,**  
77 **who has at least two years of experience in providing psychiatric treatment to individuals**  
78 **suffering from mental disorders;**

79 (18) **"Psychiatric assistant physician", a licensed assistant physician under chapter**  
80 **334 and who has had at least two years of experience as an assistant physician in providing**  
81 **psychiatric treatment to individuals suffering from mental health disorders;**

82 (19) "Psychiatric nurse", a registered professional nurse who is licensed under chapter  
83 335 and who has had at least two years of experience as a registered professional nurse in  
84 providing psychiatric nursing treatment to individuals suffering from mental disorders;

85 (20) **"Psychiatric physician assistant", a licensed physician assistant under chapter**  
86 **334 and who has had at least two years of experience as a physician assistant in providing**  
87 **psychiatric treatment to individuals suffering from mental health disorders or a graduate**  
88 **of a postgraduate residency or fellowship for physician assistants in psychiatry or is**  
89 **currently in a postgraduate physician assistant residency or fellowship in psychiatry;**

90 [~~18~~] (21) "Psychiatric social worker", a person with a master's or further advanced  
91 degree from an accredited school of social work, practicing pursuant to chapter 337, and with  
92 a minimum of one year training or experience in providing psychiatric care, treatment or services  
93 in a psychiatric setting to individuals suffering from a mental disorder;

94 [~~19~~] (22) "Psychiatrist", a licensed physician who in addition has successfully  
95 completed a training program in psychiatry approved by the American Medical Association, the  
96 American Osteopathic Association or other training program certified as equivalent by the  
97 department;

98            [~~(20)~~] **(23)** "Psychologist", a person licensed to practice psychology under chapter 337  
99 with a minimum of one year training or experience in providing treatment or services to mentally  
100 disordered or mentally ill individuals;

101            [~~(21)~~] **(24)** "Resident in psychiatry", a licensed physician who is in a training program  
102 in psychiatry approved by the American Medical Association, the American Osteopathic  
103 Association or other training program certified as equivalent by the department;

104            [~~(22)~~] **(25)** "Respondent", an individual against whom involuntary civil detention  
105 proceedings are instituted pursuant to this chapter;

106            [~~(23)~~] **(26)** "Treatment", any effort to accomplish a significant change in the mental or  
107 emotional conditions or the behavior of the patient consistent with generally recognized  
108 principles or standards in the mental health professions.

✓